



DEC 30 2020

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

The Honorable James L. Robart

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT  
SEATTLE

UNITED STATES,

PLAINTIFF

V.

CITY OF SEATTLE,

DEFENDENT

No. 2:12-cv-01282-JLR

DECLARATION OF GENE  
PALMER RE: PARTIAL  
DAMAGES IN THIS CASE  
REGARDING RAFTIS AND  
DURKAN ACTS

COMES NOW, Gene Palmer, Pro Se, being over the age of 18 and competent to testify  
herein, make the following Declaration RE: Partial Damages in this Case Regarding Raftis and  
Durkan Act, based on my personal knowledge:

***The Events of 8/5/2007: Officer Raftis Beating***

I was brutally beaten by a Seattle Police Department Officer Colleen Raftis (accompanied  
by her partner Officer Cynthia Whitaker) on 8/5/07 outside my RV parked at or about 1155 11th  
NW Seattle, Washington. This incident arose out of her questioning me at my RV parked at this  
location. I do not know why she made contact with me specifically, but my RV had been

1 reported to the police as stolen from my residence on the Tulalip Indian reservation in  
2 Marysville. I am part Indian descent.

3 ***My RV was Stolen***  
4

5 I was in Seattle that day working on renovations on my house with my wife (mostly  
6 painting) when I found out my RV had been reported stolen and I was given an address for  
7 where it was located. My sister, who works as a 911 operator at the Snohomish County Sheriff  
8 Department, was the person who found out that my RV plates had been reported for an  
9 abandoned vehicle and my RV was now in the system as probably abandoned/stolen. I did not  
10 even know it was missing. My sister contacted my mother, and my mother contacted me asking  
11 if I knew about the whereabouts of my RV. My wife and I went to 1155 11th NW Seattle,  
12 Washington location and we found my RV. It was in pretty bad shape and was out of gas and so  
13 I decided to stay with the RV that night and have it towed to a shop in the morning while my  
14 wife went back home.  
15  
16

17 ***Officer Raftis Falsely Accusing me of being a Sex Offender and Subsequent***  
18

19 About an hour after I made this decision, I heard a loud banging on the door. I opened the  
20 door and it was Officer Raftis. She stated, "We don't want your kind around here, you're a sex  
21 offender. We just found out about an hour ago that this RV had been stolen." I turned around to  
22 pull out my paperwork stating I was NOT a sex offender and this was a error that had been  
23 corrected by the court. That was when Officer Raftis grabbed me by my hair and spun me  
24 around. I began to yell at her to leave me the alone, that I am not a sex offender, and that I did  
25 not do anything wrong. Officer Raftis said to me "I don't give a shit about your documents or  
26 what you have to say, I am going by my computer in my patrol car." I asked her, "What is your  
27  
28

1 name, can you give this information to the attorney and to the courts." She grabs her left chest  
2 and starts shaking her name tag.

3  
4 Officer Raftis then threw me to the ground, knocking my head against the metal of the  
5 RV and causing my dentures to fall out. She continuously hit me on the head, resulting in two  
6 fractures of my skull and broke my nose. I went to pick up my dentures and Officer Raftis  
7 clubbed me in the back of my head with her bully club, which caused me to pass out. There was  
8 another officer present, Officer Cynthia Whitaker, who did nothing to prevent this assault.

9  
10 ***Running from my RV attempting to get Help***

11 When I regained consciousness, I got up and ran from 1155 11th NW to 15th and Market  
12 and attempted to call 911 from a payphone, but I did not have change to use it and back then  
13 many payphones did not work to even call 911 without coins. I entered the Safeway on Market  
14 street and the store manager saw me in my bloodied state. The store manager helped me call  
15 911, but SPD refused to send an ambulance. She and some other employees went back to 11th  
16 NW, where my RV was, but the police had already left, if they ever came. I got ahold of my wife  
17 using the phone from inside of the store and she came to the store. We had my RV towed from  
18 1155 11th NW to the closest Les Schwab.

19  
20 ***Hearing with Judge Gregory, Cardiac Arrest, and Harborview Treatment as a***  
21 ***Result of Beating***

22  
23 The day after the beating, my wife took me to a court hearing I had scheduled that next  
24 morning for an unrelated case. The judge presiding over this hearing, Judge Gregory, took one  
25 look at me in my beaten state and said "What in the hell happened to you?" I explained that I was  
26 brutally beaten by a SPD cop. Three or four minutes after that I went into cardiac arrest. Judge  
27 Gregory called 911 while his wife, the court Clerk, performed CPR on me until the ambulance  
28

1 arrived. I was immediately taken to Harborview Medical Center and treated for the massive  
2 trauma I had sustained when Officer Raftis beat me. I was very badly injured and was going in  
3 and out of consciousness. My skull was cracked in two places and cerebral spinal fluid fluid was  
4 leaking out of my ears. I was in such bad shape that the emergency doctor on staff came in and  
5 took photos of me and I am in possession of those photos. The doctors hooked me up to a bunch  
6 of IVs and then put me in a medically induced coma for 23 days.

8 During this time, they found out that I was suffering from spinal stenosis as a result of  
9 Officer Raftis' clubbing me in the back of the head with her police bully club. After they  
10 brought me out of the medically induced coma, I had complete amnesia. I could not even  
11 remember my own name or my family member's names. I had to undergo a procedure to relieve  
12 the pressure building up in my skull; my brain was swelling as a result of the trauma I had  
13 sustained. The doctors had to drill into my skull to drain the fluid that had been building up as a  
14 result of the two fractures I had sustained during the beating. I have scars from the surgery that  
15 are covered by my hair. I also had to have an abdominal hernia surgery to repair a hernia that had  
16 developed around my belly button, which was a result of the number of times Officer Raftis hit  
17 me in the stomach.

20 While in the hospital, I called my long time friend, Attorney George Knowles, who I had  
21 met up in Alaska and he and my grandmother paid for all of my treatments, homecare, and  
22 psychological treatments. Between Knowles and my Grandmother they paid \$1,174,000 in  
23 medical bills as a result of Officer Raftis beating me. There was an outstanding bill for the  
24 abdominal operation done to repair my hernia that was never paid.

26 Because I went into cardiac arrest during my hearing, Judge Gregory gave me a new  
27 court day later down the road. I did not show up for that hearing due to hospitalization and Judge  
28



1 Gregory ordered the City of Seattle to tow my RV back to my aunt (Margret A. Nelson) and  
2 uncle's (Robert W. Nelson's) property (6602 17th Avenue NE) on the Tulalip reservation.

3 ***Finding out Officer Colleen Raftis' Full Name and Filing a Claim against her***  
4

5 Judge Gregory turned over my case regarding Officer Raftis to the King County  
6 Prosecutor, Norm Maleng, for criminal charges of excessive force, aggravated assault, attempted  
7 murder in the second degree and hate crimes. Officer Raftis also committed destruction of  
8 property and wire fraud because she destroyed property containing my personal information that  
9 belonged to the US.  
10

11 I wanted to file my own civil claim against Officer Raftis, but I ran into a problem  
12 because I did not know her full name. I attempted to find her, but a week after the beating she  
13 transferred from the SPD North precinct to the West precinct. I found her last name, police  
14 badge number, and address of her precinct on a sticker that she placed on my RV on the night of  
15 the beating, but I did not know her first name. I discovered her first name much later down the  
16 road when I ran into her, in her police car, while taking my lunch break. I approached her car and  
17 asked for her full name which she provided me: Officer Colleen Raftis. Now that I had this  
18 information I could file a case against her myself. I filed a complaint with SPD Internal Affairs,  
19 who said I would have to wait 180 days for any information regarding my 911 calls on the night  
20 of the beating. While I waited for this information, I contacted both the FBI and Jenny Durkan to  
21 see if they could help me with my case. This went nowhere because I later found out that Jenny  
22 Durkin and Colleen Raftis were girlfriends and that she was putting the big stall on my case.  
23 Before learning that, I made the mistake of giving Jenny Durkan the originals of the 911 tapes I  
24 had from the night Officer Raftis beat me and when I realized when I was getting nowhere with  
25 her, I asked her to return them to me and instead she told me she had had them destroyed. This  
26  
27  
28

1 must have been at Colleen Raftis' bidding. The tapes no longer exist anywhere, but I have a  
2 transcript.

### 3 ***Conclusion***

4  
5 The Colleen Raftis beating was a very severe assault with very high damages, and of  
6 course, contrary to city, state, and federal law and needs to be rectified by this court.

### 7 8 **Jenny Durkan's First Felony**

#### 9 **Jenny Durkan Promised Me Compensation for a Claim of Excessive Force by Seattle** 10 **Police Department and Never Produced Compensation**

11  
12 After I attempted to file my own civil claim against Seattle Police Department's Officer Raftis for  
13 brutally beating me on the night of 8/5/07, I reached out to Jenny Durkan for help. Jenny Durkan was  
14 originally appointed by President Barack Obama as the US District Attorney and served from October 1,  
15 2009 until September 30, 2014. While in office Jenny Durkan failed to prosecute a single banker on  
16 her watch. Jenny Durkan also would not press federal felony charges against Jonathon Crout,  
17 who blew up my RV with explosives.  
18

19 Jenny Durkan sued the City of Seattle for use of the Seattle Police Department to use excessive  
20 force. The judge on the case was the Honorable Judge Robart. Jenny Durkan got about twenty-five  
21 families together at a high school on Beacon Hill one weekend, so we could provide information about  
22 our experiences with excessive force, including our medical bills. Jenny Durkan had us split up into  
23 groups and where we shared our stories and got to know each other. Jenny Durkan promised me  
24 compensation for a claim of excessive force by Seattle Police Officer Raftis and never produced  
25 compensation.  
26

27 Jenny Durkan also would not press felony charges against Jonathon Krout, who blew up  
28 my RV with explosives he learned how to make in diver's school. ATF is still in possession of  
6

1 the explosives he used to blow up my RV. Because Jenny Durkan refused to bring my case to the  
2 federal level, it was brought in King County Superior Court with only a minor sentence possible.  
3 He was sentenced to three and half years for first degree arson. Had it gone to federal court there  
4 would have been a baseline 10 year minimum sentence.  
5

6 **Jenny Durkan used Me and Others for her Own Political Gain (Felony) and did not**  
7 **get us Compensation**  
8

9 Jenny Durkan used us and our information for her own personal political gain. We provided her  
10 with copies of everything we had regarding Officer's Raftis' beating of me, including the tapes of the 911  
11 calls I made that night. She then put a gag order on us so we could not speak to the media about what had  
12 happened to us. Under Title 18 US Code Subsection 1209.3 a public official is "forbidden by oath by  
13 knowingly usurping the constitution of the United States for religious or political  
14 purposes". This is exactly what Jenny Durkan did and this is a felony. She used the information  
15 she received from us and the other families for her own political gain and none of us ever saw  
16 anything from this. Not a single dime for what we had been through.  
17  
18

19  
20 **Jenny Durkan's Second Felony**

21 The second felony Jenny Durkan committed was under 18 US Code Subsection 2071 (a) & (b):  
22

23 (a)Whoever willfully and unlawfully **conceals**, removes, mutilates,  
24 obliterates, or **destroys**, or attempts to do so, or, with intent to do so  
25 takes and carries away any record, proceeding, map, book, paper,  
26 **document**, or other thing, **filed** or deposited with any clerk or  
27 officer of any **court** of the United States, or in any **public office**, or  
28 with any **judicial or public officer** of the United States, shall be  
fined under this title or imprisoned not more than three years, or  
both.

(b) Whoever, having the custody of any such record, proceeding, map, book, **document**, paper, or other thing, willfully and unlawfully **conceals**, removes, mutilates, obliterates, falsifies, or **destroys** the same, shall be fined under this title or imprisoned not more than three years, or both; **and shall forfeit his office and be disqualified from holding any office under the United States.** As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States.

**Jenny Durkan's Possession of My 911 Tapes from the Night Officer Raftis Beat Me**

While Jenny Durkan was still the US District Attorney she helped with federal oversight of the Seattle Police Department in the US district court for the Western District of Seattle. In 2014, when she was terminated as US Attorney, I called Jenny Durkan because I wanted the documents, records, and 911 tapes from the night of the Officer Raftis beating of me. I had given them to her when we had met at the Beacon Hill high school when she sued the City of Seattle for excessive force. I had kept the originals of all the documents and records I had from the beating and gave her copies I had made. But I did not have copies of the 911 tapes because she had gotten those from the SPD North Precinct, which was the precinct Officer Raftis was employed at on the night of my assault. I had attempted to get the tapes from Internal Affairs prior to this, but they said it would take 180 days to get a copy of my tapes from them. I wanted them back so I could pursue my own civil case against Officer Raftis. Because I do not have these tapes Officer Raftis claimed that she never met me. This is perjury. She then amended her statement and said she had only encountered me once. She said that I have mental health issues and because of this her assault became a felony beating.

**Destruction of Public Records**

Jenny Durkan informed me that my documents and the 911 tapes had been destroyed on her order. This is a public disclosure violation because she destroyed public records. She claims



1 she "never used any of my information in the class action suit" against the City of Seattle for  
2 excessive force. I spoke to her assistant and she said that Jenny Durkan instructed them to  
3 destroy any records that were "no longer useful". That is a felony. This destruction of records  
4 disqualifies Jenny Durkan, under 18 US Code 2071 (b) (above), from holding any public office  
5 in the United States.  
6

7 The Seattle Times did an article on September 3, 2014 about the destruction of my  
8 records. On [www.clearinghouse.net](http://www.clearinghouse.net), (The University of Michigan Law School Civil Legal  
9 Litigation Clearinghouse), under the people search term "Durkan, Jenny" under the case: United  
10 States v. The City of Seattle. There are 84 pages proving that she was terminated. I was the one  
11 who called the President of the United States and had both Jenny Durkan and Annetta Hayes,  
12 who succeeded her, removed from their positions. President Donald Trump appointed Brian T.  
13 Morran to the position of Attorney General of the Western District after this.  
14

15  
16 **Jenny Durkan's Retaliation Against Me in not Bringing my Claim Against Former**  
17 **Mayor Murray**  
18

19 After Jenny Durkan was terminated as US Attorney, she ran for Mayor against Edward B.  
20 Murray. A group of us had sued the State of Washington in federal court because we were  
21 molested as teenagers. My attorney at this time was David Moody. Edward B. Murray molested  
22 me and a few of my friends when I was a teenager. When I was 17 years old, Murray would take  
23 us across state lines to Portland, Oregon, molest us, and then send us back home on a Greyhound  
24 bus. They put us in a boy's home which I left when I turned 18. Edward B. Murray should be  
25 behind bars, he should be a registered sex offender and he should be tried federal courts for all  
26 that he did to us. But Jenny Durkan made a deal with him for her own political gain. She told  
27  
28

1 him that if he stepped down as mayor, she would run for mayor and she would have all the  
2 charges from three lawsuits against him dropped. And that is exactly what happened. Murray  
3 stepped down, Jenny Durkan ran for mayor and won, and The City of Seattle settled all the  
4 lawsuits against Murray. This precluded my own suit against Murray and therefore Jenny Durkan  
5 is liable for me for this suit and for her violation of the law for her personal gain. She also  
6 brought no criminal charges against him. It is a federal offense to bring minors across state lines.  
7 He should have been charged with a federal crime and he should be registered as a sex offender.  
8 She failed at this. She did all of this under a conflict of interest: Jenny Durkan is the daughter of  
9 the late Democratic State Senator Martin Durkan, who was the attorney for Christine Gregoire,  
10 who was the Washington State Attorney General representing Washington State in my OK Boys  
11 Ranch molestation suit and was responsible for missing the \$24 million judgment appeal  
12 deadline and therefore the state taxpayers \$24 million plus another \$3 million in interest, etc.  
13 over this error. So, Martin Durkan and Christine Gregoire had a huge axe to grind with me as one  
14 of the defendants and Jenny Durkan took this out on me by seeming to be friendly to my various  
15 cases and legal issues and yet instead sabotaged all of them and delayed suit filings in  
16 retaliation.

17  
18  
19  
20 Later, Jenny Durkan also got special treatment by the Washington State Supreme Court  
21 because they agreed to consider against her to recall her. She got right into the Washington State  
22 Supreme Court within a week while they refused to hear my case regarding the destruction of my  
23 public records by King County and the City of Seattle.  
24  
25  
26  
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28

1 **Jenny Durkan Refused to Prosecute or Civilly Sue Those Stealing my Identity**

2 I brought to Jenny Durkan the problem I was having with people and government  
3 agencies mistaking me for others with a similar name, with sex offenders, etc. and this causing  
4 very significant injuries, loses, and damages to me. She failed to enforce the federal lawsuit  
5 against the State of Washington and the Department of Corrections for their liability in doing the  
6 same and continuing to have in government databases this mistaken identity for my true identity,  
7 continuing the numerous problems.  
8

9 **My Bankruptcy and Jenny Durkan's Sabotaging my Washington Mutual House Loss**

10 **Claim**

11 Because I sustained such trauma from the SPD Officer Colleen Raftis beating I could not  
12 work. I was going to so many doctor's appointments. I was in a wheelchair and I had to go to  
13 therapy. Unfortunately, I was also still paying a mortgage on my house so my inability to work  
14 had a large impact on my finances. I had to file for bankruptcy and I was told that I could not  
15 accumulate any kind of debt. At the time, I did not have any medical insurance so I just stopped  
16 going to my doctor's appointments in fear of accumulating debt. The judge presiding over my  
17 bankruptcy case was the honorable Judge Karen A. Overstreet. She was very upset when she  
18 found out I was forgoing necessary doctor's appointments because I was afraid of accumulating  
19 debt. She decided to roll over my medical debt into my bankruptcy and make an amendment to  
20 my bankruptcy that put all my debts from my previous 2007 bankruptcy (No. 07-14713) rolled  
21 into 2008 bankruptcy (Case No. 08-10112). Judge Lasnik, when I was in jail I missed my  
22 WAMU mortgage payments.  
23

24 Washington State Auditor Troy Kelly was federally convicted in 2017 for fraud,  
25 possession of stolen property and false declarations in federal court. He is someone I met at  
26  
27  
28

1 bankruptcy court because he was in bankruptcy court for his construction business going upside  
2 down. We were looking for a contractor at the time to work on my house. My grandmother  
3 purchased the house from her daughter who was the former Governor of Washington, Dixy Lee  
4 Ray, my aunt. The title was put in my name and it was in a safety deposit box at Washington  
5 Mutual. We hired Troy Kelly as the contractor, he stole the key to the deposit box, he went into it  
6 and got the deed, he forged my signature transferring the deed to him. Troy Kelly then failed to  
7 make the house payments during a period when I was illegally in Snohomish County jail.  
8 Washington Mutual foreclosed on the house. The loan was backed by Fanny Mae. The US  
9 Trustee in my 2007 and 2008 bankruptcy cases (numbers above) have collected the  
10 documentation regarding all of this and the wrong done to me. The Federal government owes me  
11 my house or the equivalent value because the federal government insured my mortgage and the  
12 federal government is responsible for my loss (they in turn have to sue the Troy Kellys of the  
13 world if they want recovery). I took this problem to Jenny Durkan to sue WAMU because she  
14 was handling the huge numbers of complaints and suits against WAMU. She failed to complete a  
15 single case against WAMU and failed me. She failed to prosecute a single WAMU banker on her  
16 watch and let down many foreclosed people throughout the nation.

20 In 2011, a woman went to the Fremont Free Clinic for a Depo Provera injection (birth  
21 control) and received a flu shot instead. She ended up getting pregnant as a result of this and she  
22 sued the clinic. The clinic was a federal government funded entity and the judge awarded \$10  
23 million dollars to the woman (\$2.5M to the woman and \$7.5M to the woman's daughter, who  
24 was born with disabilities). This upset me because this is very similar to my case but my case  
25 was dismissed due to the statute of limitations. But this woman's case began in 2011 and was not  
26  
27  
28

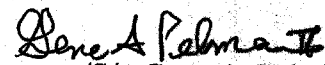


1 ruled on until November 11, 2020. There is no statute of limitation when one violates a  
2 constitutional right or commits a federal criminal offense, which is the case in my case.

3 Jenny Durkan was terminated as US Attorney on October 1, 2014, with three years left on  
4 her term. Annette Hayes then took over her position from October 1, 2014 to January 17, 2019.  
5 US District Attorney Annette Hayes also refused to bring charges against Washington Mutual for  
6 my house, the kid who blew up my RV, and Officer Colleen Raftis for her brutal assault on me.  
7

8 I certify that the above is true and correct under penalty of the perjury laws of  
9 Washington State.

10  
11 DATED this 28th day of December, 2020 at Ellensburg, Washington.

12  
13   
14 /S/ Gene A. Palmer  
15 Gene A. Palmer II  
16 Pro Se

17 RELATED CASES:

18 GENE ALFRED PALMER V. KING COUNTY, SEATTLE, SPD, DURKAN, RAFTIS

19 NO. 219 CV 01777 RSL

20 GENE PALMER V. TIENNEY MILNOR

21 NO 19 CV 00961- RAJ  
22  
23  
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26  
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28

CERTIFICATE OF MAILING

I certify that on 12/28/20, I also caused true and correct copies of this document and  
curtesy copies for Judge Robart on the below indicated date to be served on the following in the  
manner indicated below:

Clerk of the Court

( X ) U.S. Mail  
( ) Hand Delivery  
( ) e-filing

Address:

U.S. District Court  
Clerk's Office  
700 Stewart Street, Suite 2310  
Seattle, WA 98101

Courtesy Copy for Judge Robart

( X ) U.S. Mail  
( ) Hand Delivery  
( ) e-filing

Address:

U.S. District Court  
Clerk's Office  
700 Stewart Street, Suite 2310  
Seattle, WA 98101

Brian G Maxey  
Attorney for Seattle Police Department,  
City of Seattle, and Colleen Raftis

(X) U.S. Mail  
( ) Hand Delivery  
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Seattle City Attorney's Office  
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Sarah K Morehead  
Attorney for US Attorney's Office

( X ) U.S. Mail  
( ) Hand Delivery  
( ) E-filing by e-mail

Address:

US Attorney's Office  
700 Stewart St Ste 5220  
Seattle, WA 98101

DATED this \_\_\_\_28th\_\_\_\_ day of December, 2020 at Ellensburg, Washington.

/S/ Gene A. Palmer  
Gene A. Palmer II  
Pro Se

*Gene A. Palmer*



101 80 ~~Post~~ Post #103  
Ellensburg, WA  
98926

Black  
Red  
Green  
Yellow, 600 38/10

